



General Assembly

January Session, 2023

Governor's Bill No. 985

LCO No. 3913



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:

Request of the Governor Pursuant
to Joint Rule 9

AN ACT INCENTIVIZING HOUSING PRODUCTION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 8-169hh of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2023*):

3 For purposes of this section, [and] sections 8-169ii to 8-169ss,
4 inclusive, and section 2 of this act:

5 (1) "As of right" has the same meaning as provided in section 8-1a;

6 [(1)] (2) "Authority" means the Connecticut Municipal
7 Redevelopment Authority established in section 8-169ii;

8 [(2)] (3) "Authority development project" means a project occurring
9 within the boundaries of a Connecticut Municipal Redevelopment
10 Authority development district;

11 [(3)] (4) "Connecticut Municipal Redevelopment Authority
12 development district" or "development district" means the area

13 determined by a memorandum of agreement between the authority and
14 the chief executive officer of the member municipality, or the chief
15 executive officers of the municipalities constituting a joint member
16 entity, as applicable, where such development district is located,
17 provided such area shall be considered a downtown or does not exceed
18 a one-half-mile radius of a transit station;

19 [(4)] (5) "Designated tier III municipality" has the same meaning as
20 provided in section 7-560;

21 [(5)] (6) "Designated tier IV municipality" has the same meaning as
22 provided in section 7-560;

23 [(6)] (7) "Downtown" means a central business district or other
24 commercial neighborhood area of a community that serves as a center
25 of socioeconomic interaction in the community, characterized by a
26 cohesive core of commercial and mixed-use buildings, often
27 interspersed with civic, religious and residential buildings and public
28 spaces, that are typically arranged along a main street and intersecting
29 side streets and served by public infrastructure;

30 [(7)] (8) "Member municipality" means [(A)] any municipality [with a
31 population of seventy thousand or more] that opts to join the
32 Connecticut Municipal Redevelopment Authority in accordance with
33 section 8-169*ll*, [, or (B) any designated tier III or tier IV municipality.]
34 "Member municipality" does not include the city of Hartford or any
35 municipality that is considered part of the capital region, as defined in
36 section 32-600;

37 (9) "Middle housing" has the same meaning as provided in section 8-
38 1a;

39 [(8)] (10) "Joint member entity" means two or more municipalities
40 with a combined population of seventy thousand or more that together
41 opt to join the Connecticut Municipal Redevelopment Authority in
42 accordance with section 8-169*ll*, provided no such municipality is
43 considered part of the capital region, as defined in section 32-600;

44 [(9)] (11) "Project" means any or all of the following: (A) The design
45 and construction of transit-oriented development, as defined in section
46 13b-79kk; (B) the creation of housing units through rehabilitation or new
47 construction; (C) the demolition or redevelopment of vacant buildings;
48 and (D) development and redevelopment;

49 [(10) State-wide transportation investment program"] (12) "State-
50 wide transportation investment program" means the planning
51 document developed and updated at least every four years by the
52 Department of Transportation in compliance with the requirements of
53 23 USC 135, listing all transportation projects in the state expected to
54 receive federal funding during the four-year period covered by the
55 program; and

56 [(11)] (13) "Transit station" means any passenger railroad station or
57 bus rapid transit station that is operational, or for which the Department
58 of Transportation has initiated planning or that is included in the state-
59 wide transportation investment program, that is or will be located
60 within the boundaries of a member municipality or the municipalities
61 constituting a joint member entity.

62 Sec. 2. (NEW) (*Effective July 1, 2023*) (a) As used in this section and
63 section 3 of this act, "housing growth zone" means any area within a
64 municipality in which applicable zoning regulations adopted pursuant
65 to section 8-2 of the general statutes are designed to facilitate substantial
66 development of new dwelling units consistent with subsection (c) of this
67 section. Any housing growth zone shall encompass an entire
68 development district and may include areas outside such district.

69 (b) Notwithstanding section 8-169jj of the general statutes, prior to
70 the execution of any memorandum of agreement that establishes a
71 development district, any chief executive officer of a member
72 municipality, or the chief executive officers of the municipalities
73 constituting a joint member entity, shall create a proposal for a housing
74 growth zone and submit such proposal, including proposed zoning
75 regulations applicable to such zone, for the authority's review and

76 approval.

77 (c) (1) Except as provided in subdivision (4) of this subsection, the
78 authority shall approve any proposal submitted pursuant to subsection
79 (b) of this section if the authority determines that the proposed zoning
80 regulations applicable to the housing growth zone are likely to
81 substantially increase the production of new dwelling units necessary
82 to meet housing demand within the region.

83 (2) In making its determination pursuant to subdivision (1) of this
84 subsection, the authority shall presume that any proposal that includes
85 the following provisions is likely to substantially increase the
86 production of new dwelling units: (A) The proposal permits middle
87 housing as of right, and (B) the proposal requires only the approval of
88 the zoning board of appeals for the issuance of any applicable permits
89 for any application that would result in a net increase of dwelling units
90 other than middle housing units, provided such zoning board of
91 appeals, with respect to any application submitted pursuant to this
92 section, shall (i) have the same power to issue any permit or approval as
93 any other municipal body or official who would otherwise act with
94 respect to such application, (ii) hold a single public hearing not later
95 than thirty days after the receipt of any such application, (iii) by majority
96 vote, determine whether to approve or deny such application not later
97 than thirty days of such public hearing, and (iv) require no separate
98 approval from any planning and zoning commission, sewer
99 commission, water commission, municipal wetlands commission,
100 municipal conservation commission or board or municipal historic
101 preservation commission.

102 (3) In making its determination pursuant to subdivision (1) of this
103 subsection whether a housing growth zone proposal is likely to
104 substantially increase the production of new dwelling units, the
105 authority shall consider whether the proposal (A) allows the
106 development of new dwelling units without the requirement of any off-
107 street parking spaces, (B) requires that ten per cent of units are
108 considered set-aside units, as such term is used in section 8-30g of the

109 general statutes, for any application involving a net increase of ten or
110 more dwelling units, and (C) generally promotes residential diversity.

111 (d) Notwithstanding chapter 130 of the general statutes, no member
112 municipality, nor the municipalities constituting a joint member entity,
113 shall submit an application or request for funds for any authority
114 development project pursuant to section 8-169nn of the general statutes,
115 nor shall any bonds, notes, or other obligations of the authority be
116 issued to carry out such project, pursuant to section 8-169oo of the
117 general statutes, until the member municipality, or the municipalities
118 constituting a joint member entity, enacts all of the zoning regulations
119 proposed in the housing zone growth proposal approved by the
120 authority.

121 Sec. 3. (NEW) (*Effective October 1, 2023*) (a) (1) Not later than March
122 31, 2024, and annually thereafter, each municipality shall report to the
123 Department of Economic and Community Development, for the
124 previous calendar year, (A) the number of new dwelling units permitted
125 in such municipality, including specifying how many new dwelling
126 units are located within single family, two-to-four family, and more
127 than four family homes; and (B) the number of dwelling units
128 demolished in such municipality.

129 (2) Not later than December 31, 2023, each municipality shall report
130 the information specified in subsection (a) of this section for each
131 calendar year from 2018 to 2022, inclusive.

132 (b) On and after April 1, 2024, the Commissioner of Economic and
133 Community Development shall send a notice to any municipality that
134 fails to comply with the requirements of subsection (a) of this section. If
135 any municipality fails to comply with the requirements of subsection (a)
136 of this section more than sixty days after the issuance of such letter by
137 the commissioner, the commissioner shall deem such municipality
138 ineligible for discretionary state funding from the Department of
139 Economic and Community Development for a period lasting until the
140 subsequent reporting deadline required by this section unless such

141 prohibition is expressly waived by the commissioner upon the
 142 commissioner's finding of good cause for such failure to comply.

143 (c) The Department of Economic and Community Development shall
 144 collect the reports as provided in subsection (a) of this section and
 145 publish such reports on the department's Internet web site.

146 Sec. 4. (NEW) (*Effective October 1, 2023*) The Commissioner of
 147 Administrative Services, in consultation with the Office of Policy and
 148 Management, shall conduct a study of any real property owned by the
 149 state, excluding any real property reserved for conservation by the state,
 150 to identify properties suitable for development for housing to improve
 151 housing opportunities for residents in the state, with a particular focus
 152 on any property suitable for transit-oriented development and
 153 affordable housing. Not later than January 1, 2024, the commissioner
 154 shall submit a report, in accordance with the provisions of section 11-4a
 155 of the general statutes, to the Governor and to the joint standing
 156 committees of the General Assembly having cognizance of matters
 157 relating to housing and planning and development containing the
 158 findings of such study.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2023</i>	8-169hh
Sec. 2	<i>July 1, 2023</i>	New section
Sec. 3	<i>October 1, 2023</i>	New section
Sec. 4	<i>October 1, 2023</i>	New section

Statement of Purpose:

To implement the Governor's budget recommendations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]